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**FILED**  
OCT 21 2021  
Clerk, U.S. District Court  
District Of Montana  
Billings

**ATTORNEY FOR PLAINTIFF  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**MICHAEL BLAKE DEFRANCE,**

**Defendant.**

**CR 21-29-M-DLC**

**SECOND SUPERSEDING  
INDICTMENT**

**PROHIBITED PERSON IN POSSESSION  
OF FIREARMS AND AMMUNITION**  
Title 18 U.S.C. § 922(g)(9)  
(Count I)  
(Penalty: Ten years imprisonment,  
\$250,000 fine, and three years of supervised  
release)

**FALSE STATEMENT DURING A  
FIREARMS TRANSACTION**  
Title 18 U.S.C. § 922(a)(6)  
(Counts II-IV)  
(Penalty: Ten years imprisonment,  
\$250,000 fine and three years supervised  
release)

	<b>CRIMINAL FORFEITURE</b> <b>Title 18 U.S.C. § 924(d)</b>
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THE GRAND JURY CHARGES:

COUNT I

That on or about and between October 3, 2016, and October 2, 2018, at Missoula, in Missoula County, in the State and District of Montana, the defendant, MICHAEL BLAKE DEFRANCE, knowing he had been convicted on or about May 6, 2013, of a misdemeanor crime of domestic violence under the laws of the State of Montana, which meets the definition of a misdemeanor crime of domestic violence under 18 U.S.C. § 921(a)(33)(A)(i) and (ii), knowingly possessed, in and affecting interstate commerce, firearms and ammunition, in violation of 18 U.S.C. § 922(g)(9).

COUNT II

That on or about February 24, 2018, at Missoula and within Missoula County, in the State and District of Montana, the defendant, MICHAEL BLAKE DEFRANCE, in connection with his acquisition and attempted acquisition of a firearm, namely a Stevens Arms 200 rifle from Cash 1 Pawn, Inc., Missoula, Montana, a licensed dealer, knowingly made a false and fictitious written statement to Cash 1 Pawn, Inc., which statement was intended and likely to deceive Cash 1 Pawn, Inc., as to a fact material to the lawfulness of such sale and acquisition of the

said firearm to the defendant under Chapter 44 of Title 18, in that the defendant represented at item 11(i) on ATF Form 4473, Firearms Transaction Form, dated February 24, 2018, the defendant had not been convicted in any court of a misdemeanor crime of domestic violence, all in violation of 18 U.S.C. § 922(a)(6).

### COUNT III

That on or about March 2, 2018, at Missoula and within Missoula County, in the State and District of Montana, the defendant, MICHAEL BLAKE DEFRANCE, in connection with his acquisition and attempted acquisition of a firearm, namely a Smith & Wesson 60 Lady Smith revolver, from Cash 1 Pawn, Inc., Missoula, Montana, a licensed dealer, knowingly made a false and fictitious written statement to Cash 1 Pawn, Inc., which statement was intended and likely to deceive Cash 1 Pawn, Inc., as to a fact material to the lawfulness of such sale and acquisition of the said firearm to the defendant under Chapter 44 of Title 18, in that the defendant represented at item 11(i) on ATF Form 4473, Firearms Transaction Form, dated March 2, 2018, the defendant had not been convicted in any court of a misdemeanor crime of domestic violence, all in violation of 18 U.S.C. § 922(a)(6).

### COUNT IV

That on or about August 25, 2018, at Missoula and within Missoula County, in the State and District of Montana, the defendant, MICHAEL BLAKE DEFRANCE, in connection with his acquisition and attempted acquisition of a

firearm, namely a Remington 770 rifle, from Cash 1 Pawn, Inc., Missoula, Montana, a licensed dealer, knowingly made a false and fictitious written statement to Cash 1 Pawn, Inc., which statement was intended and likely to deceive Cash 1 Pawn, Inc., as to a fact material to the lawfulness of such sale and acquisition of the said firearm to the defendant under Chapter 44 of Title 18, in that the defendant represented at item 11(i) on ATF Form 4473, Firearms Transaction Form, dated August 25, 2018, the defendant had not been convicted in any court of a misdemeanor crime of domestic violence, all in violation of 18 U.S.C. § 922(a)(6).

#### FORFEITURE ALLEGATION

Upon conviction of any of the offenses listed in this indictment, the defendant, MICHAEL BLAKE DEFRANCE, shall forfeit, pursuant to 18 U.S.C. §924(d), any firearm and ammunition involved and used in any knowing violation of said offenses.


Foreperson signature redacted. Original document filed under seal.

A TRUE BILL.

  
LEE M. JOHNSON  
Acting United States Attorney

FOREPERSON 

  
JOSEPH E. THAGGARD  
Criminal Chief Assistant U.S. Attorney

Crim. Summons  11/18/21 @ 2:00pm  
Warrant: KLD-MSLA  
Bail: \_\_\_\_\_